

**City of Lincoln, Nebraska  
StarTran**

**TEAM ID: 1896**



**Title VI Report**

**July 2013**

**The preparation of this report is in response to the Federal  
Transit Administration (FTA) requirements set forth in Circular  
C4702.1B**

## StarTran/City of Lincoln

### Title VI Policy Statement

It is the policy of StarTran/City of Lincoln to assure full compliance with Title VI/Nondiscrimination of the Civil Rights Acts of 1964, 1987 and 1991 and subsequent related statutes. The Title VI plan ensures that no person shall, on the grounds of race, color, or national origin, be excluded from participating in, or be denied the benefits of, or be subject to discrimination under any program, or activity receiving Federal financial assistance. Further, the Title VI plan ensures that Federally supported transit services and related benefits are distributed in an equitable manner.

Any person who believes that he or she, on the basis of race, color, or national origin has been excluded from or denied the benefits of, or subjected to discrimination by StarTran may file a written complaint through the City of Lincoln Ombudsman's office. Complaint forms are also available on StarTran website.

I therefore affirm that the 2013 Title VI Plan is current agency policy.

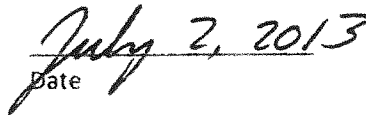


Mike Davis

StarTran Transit Manager

710 J Street

Lincoln, NE 68508



Date

## StarTran Title VI Report – 2013

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## INTRODUCTION

The following report has been prepared in response to the Federal Transit Administration (FTA) requirements set forth in Circular 4702.1B, pertaining to compliance with Title VI provisions of the 1964 Civil Rights Act. FTA Circular 4702.1B, was released by the Federal Transit Administration (FTA) on October 1, 2012.

Section 601 of the Title VI of the Civil Rights Act of 1964 states the following:

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participating in, or denied the benefits of, or be subject to discrimination under any program, or activity receiving federal financial assistance.”

The grantee must ensure that Federally supported transit services and related benefits are distributed in an equitable manner. This report documents StarTran's compliance with Circular 4702.1B.

StarTran is organized as a division of the City of Lincoln's Public Works and Utilities Department. The StarTran General Manager reports to the Director of Public Works and Utilities, who reports directly to the Mayor and City Council. Policy and funding decisions are made by the Mayor and Council. There is a seven-member StarTran Advisory Board that provides guidance to the Mayor and Council concerning transit issues and operations.

Per Circular 4702.1B every Title VI Program shall include:

1. A copy of the recipient's Title VI notice to the public that indicates the recipient complies with Title VI, and informs members of the public of the protections against discrimination afforded to them by Title VI.
2. A copy of the recipient's instructions to the public regarding how to file a Title VI discrimination complaint, including a copy of the complaint form.
3. A list of any public transportation-related Title VI investigations, complaints, or lawsuits filed with the recipient since the time of the last submission.
4. A public participation plan that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of outreach efforts made since the last Title VI Program submission.
5. A copy of the recipient's plan for providing language assistance to persons with limited English proficiency, based on the DOT LEP Guidance.
6. Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees or councils.
7. Primary recipients shall include a narrative or description of efforts the primary

recipient uses to ensure subrecipients are complying with Title VI, as well as a schedule of subrecipient Title VI program submissions.

8. If the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc., the recipient shall include a copy of the Title VI equity analysis conducted during the planning stage with regard to the location of the facility.

9. Requirement to set system-wide service standards and policies. All fixed route transit providers shall set service standards and policies for each specific fixed route mode of service they provide.

10. Requirement to prepare and submit a Title VI Program. FTA requires that recipients document their compliance with by submitting a Title VI Program to FTA including a copy of board or resolution minutes as evidence that such board has approved the Title VI program.

## GENERAL REPORTING REQUIREMENTS

### 1. Title VI Notice to the Public

Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, recipients shall disseminate this information to the public by posting a Title VI notice on the agency's website and in public areas of the agency's office(s), including the reception desk, meeting rooms, etc. Recipients should also post Title VI notices at stations or stops, and/or on transit vehicles.

Attachment A is StarTran's Title VI notice to the public that notifies the public of its rights under Title VI. This notice is posted on the City of Lincoln website and at StarTran's office area, where patrons come to obtain fare devices and other information. This notice is posted on the wall at StarTran office (710 J Street, Lincoln, NE) next to the public reception window. This notice also includes the contact information of the Federal Transit Administration at:

Federal Transit Administration, Office of Civil Rights  
Attention: Title VI Program Coordinator  
East Building, 5th Floor - TCR  
1200 New Jersey Ave., SE  
Washington, DC 20590  
[http://www.fta.dot.gov/civilrights/title6/civil\\_rights\\_5104.html](http://www.fta.dot.gov/civilrights/title6/civil_rights_5104.html)

### 2. Title VI Complaint Procedures and Complaint Form

All FTA recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form, and the form and procedure for filing a complaint shall be available on the recipient's website at: <http://lincoln.ne.gov/city/pworks/startran/titlevi.htm>

StarTran's Title VI complaint procedure and complaint form is found in attachment B. Based on the threshold requirements of the Safe Harbor Provision the Title VI complaint form and Notice to the Public is translated in Spanish, Vietnamese and Arabic.

### 3. Transit-Related Title VI Investigations, Complaints and Lawsuits.

FTA requires all recipients to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations conducted by entities other than FTA; lawsuits; and complaints naming the recipient. This list shall include the date that the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to, the investigation, lawsuit, or complaint. This list shall be included in the Title VI Program submitted to FTA every three years.

The City of Lincoln Law Department maintains a list of all such investigations. All written complaints received and responses from the City are retained for at least three years.

StarTran has checked with City Law and found no Title VI complaints in past 3 years.

#### 4. Public Participation Plan

Per 4702.1B, "Recipients have wide latitude to determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate. Recipients should make these determinations based on a demographic analysis of the population(s) affected, the type of plan, program, and/or service under consideration, and the resources available. Efforts to involve minority and LEP populations in public participation activities can include both comprehensive measures, such as placing public notices at all transit stations, stops, and vehicles, as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and LEP persons from effectively participating in a recipient's decision-making process."

StarTran's public engagement strategies include:

a. Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities. For StarTran public hearings on fare or service changes are scheduled during convenient times and at the downtown Senior Center at 1010 "O" Street which is in close proximity to StarTran's bus transfer center at 11<sup>th</sup> & "O".

For those who are unable to make it to the public meetings patrons may write, e-mail or telephone StarTran with their comments regarding the proposed revision.

Monthly StarTran Advisory Board meetings are held at the StarTran office which is in close proximity to three StarTran bus routes. All StarTran Advisory Board meetings are governed by the Open Meetings Act, are open to the public and held at times that are generally convenient to the Board members and the general public.

b. For public hearings on fare or service changes, StarTran allows maximum input from the public by setting reasonable time limits for speakers so as to allow everyone to participate if they want to and prevents others from monopolizing the meeting in addition to arranging the meetings at convenient times and locations.

c. Coordinating with organizations that represent minority & LEP communities to seek input from these organizations on how StarTran can improve public engagement strategies. On May 14, 2013 StarTran attended a Mayor's Multi-Cultural Advisory Committee to seek input from this group on the following:

- How StarTran can improve efforts to involve minority and LEP populations in public participation activities.
- How StarTran can improve providing meaningful access of StarTran services to LEP persons.

Feedback from the Mayor's Multi-Cultural Advisory Committee included: posting translated information inside of buses informing LEP individuals on how to access translation services, placement of suggestion boxes on buses and working with those Lincoln employers that employ non-English speaking persons to promote StarTran services.

Other key organizations that StarTran will coordinate with are: Lincoln Literacy Council, Lincoln Asian Center, Center for People in Need, Good Neighbor Center, Los Centros de Americas, City Mission and Community Action Partnership.

d. Sending communication to agencies that serve minority and LEP populations. For the July 27, 2012 public hearing notice of the meeting was sent to two (2) LEP organizations, El Centro de Las Americas and the Asian Center in an effort to notify agencies and constituents in minority/LEP populations.

The StarTran Advisory Board has representation from one of the largest social service agency in Lincoln, the Center for People in Need. This organization serves low-income and LEP populations through basic services and job training. Such representation has been valuable for informing these groups on StarTran changes.

For future public meetings StarTran will reach out to more organizations that represent minority & LEP populations such as Lincoln City Mission, Lincoln Literacy Council, New Americans Task Force, Lincoln Asian Center, Center for People in Need, Good Neighbor Center, Los Centros de Americas and Community Action Partnership.

e. Providing timely notice and access to information about StarTran changes. Public information is available on StarTran's website and on StarTran's facebook page. For fare or service changes public notices are placed on the website, bus shelters and in the local newspaper well in advance of the pending change. Those registered with RSS feeds are sent such information as well. Public Notices are placed in the local newspaper. Notices will also be sent to those agencies listed in C., and Ride for \$8 Bus Pass outlets.

Outreach efforts since the last Title VI Plan submission include: scheduling events at convenient times and at transit-accessible locations. Public hearing notices are sent to agencies such as the Asian Center and El Centro de Las Americas, which serve minority and LEP populations. For the July 27, 2012 public hearing there were 20 members of the public that were present.

## 5. LEP

Title VI and its implementing regulations require that FTA recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP).

See attachment D for StarTran's LEP Plan



## 6. Minority Representation on Boards or Committees

Per 4702.1B, "Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees."

The recipient, the City of Lincoln/StarTran, has a StarTran Advisory Board that provides guidance to the Mayor and Council concerning transit issues and operations. Provided is a table depicting the racial breakdown of this Board:

Members	Race				
Board member	African - American	Asian/Pacific Islander	Native American Indian	Hispanic/Latino	Caucasian/ White
Baylor					X
Brasch					X
DeKalb					X
Carter					X
Herz					X
Speicher					X
Phelps					X

Membership current as of July 2, 2013

The efforts made to encourage the participation of minorities on such committees include the City of Lincoln coordination with "Project A.L.L.". The purpose of Project A.L.L. is to equip, encourage, and recruit diverse individuals for meaningful roles of governance and service on governmental and non-profit boards in Lincoln and Lancaster County. Project A.L.L. is contacted by the Mayor's Office when vacancies on city boards and committees occur to secure/encourage minority participation on such boards and committees.

## 7. Subrecipient Compliance

"In accordance with 49 CFR 21.9(b), and to ensure that subrecipients are complying with the DOT Title VI regulations, primary recipients must monitor their subrecipients for compliance with the regulations."

The City of Lincoln/StarTran, the direct recipient of FTA funds, does not have any subrecipients. StarTran contracts with, but does not award funds, to third parties. A subrecipient is any entity that receives Federal assistance awarded by a FTA Recipient, rather than FTA directly. The term "subrecipient" also includes the term "subgrantee," but does not include "third party contractor" or "third party subcontractor."

## 8. Equity Analysis for Construction Facility

If the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc., the recipient shall include a copy of the Title VI equity analysis conducted during the planning stage with regard to the location of the facility.

StarTran has not constructed a facility in the past three years that would necessitate a Title VI equity analysis.

## 9. System-Wide Service Standards and Policies

FTA requires all fixed route transit providers of public transportation to develop quantitative standards for the following indicators:

a) Vehicle load: Passengers should be seated except for short periods of time associated with peak load periods. 25% standees for short periods are acceptable.

Vehicle Type	Seated	Standing
30' Low Floor Bus	26	18
35' Low Floor Bus	32	24

b) Vehicle headways: Service operates Monday – Friday with 30 minute service during peak periods and 60 minute service during mid-day. Saturday service operates 60 minutes all day. Two weekday routes, the Holdrege and Vine operate, Monday – Friday, with 10 minute service all day and 20 minute service during the evening hours.

c) On-time performance: Ninety five (95) percent of the trips should run on-time (not more than 7 minutes late).

d) Service availability:

High density areas within a ¼ mile of a bus route, major activity centers and employer concentrations of 200 or more employees shall be provided with transit service.

FTA requires fixed route transit providers to develop a policy for each of the following service indicators:

a) Distribution of transit amenities: the standard for installation of bus waiting shelters generating 15 or more daily boardings, and a bench is 10 or more daily boardings.

b) Vehicle Assignment: StarTran's process for vehicle assignment is based on the larger seating capacity buses (32 seat buses) being assigned to the higher ridership routes and the lower ridership routes are assigned the smaller seating buses, or the 26 seat buses. All buses are low-floor style, wheelchair accessible,

have operating heat and air conditioning, have security cameras and audio equipment and are all in good operating condition.

#### 10. Requirement to submit a Title VI Program

According to 4702.1B, "FTA requires that all recipients document their compliance by submitting a Title VI Program to their FTA regional civil rights officer once every three years or as otherwise directed by FTA. For all transit providers (including subrecipients), the Title VI Program must be approved by the transit provider's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. Transit providers shall submit a copy of the board resolution, meeting minutes, or similar documentation with the Title VI Program as evidence that the board of directors or appropriate governing entity or official(s) has approved the Title VI Program."

#### StarTran Advisory Board Approval

The StarTran Advisory Board reviews matters relating to the operation of the bus system including the following areas: transit-related studies and plans, route studies and evaluations, performance indicators, rates, fare and schedules. Although the StarTran Advisory Board is not the "governing entity responsible for policy decisions", as the Lincoln City Council holds this responsibility, the StarTran Advisory Board has reviewed and approved the program on June 27, 2013. The following is the StarTran Advisory Board's recommendations on the Title VI & LEP Plan:

1. Contact Lincoln Literacy Council to obtain their feedback on LEP efforts.
2. Produce "common bus terms" for StarTran bus drivers in Arabic and Vietnamese. Currently StarTran has such a guide translated in Spanish for bus operators.
3. Provide translated information inside of buses. The open placards found on some buses above the seats could have information such as "if you need translated information call StarTran" in different languages.
4. Have more racial diversity on the StarTran Advisory Board.
5. Translate the StarTran Ride Guide in Karen. Beatty Brasch (StarTran Advisory Board Member) indicated that she has a staff member that can translate such document for StarTran.
6. Post information in shelters in different languages that tells the basics on how to use the bus.
7. Develop a brochure size of bus basics, similar to the Ride Guide, in different languages for drivers and staff to hand out.
8. Continue to conduct bus orientation sessions with agencies that serve LEP populations.
9. Post signage on outside of buses in different languages on how to use the bus and fare information.

10. Staff training for bus drivers on understanding cultural and economic differences of bus riders.

Lincoln City Council Approval

The Resolution of the Lincoln City Council approving the Title VI Program is attached hereto.

**StarTran System & Minority Map**

Attached, for illustrative purposes, is Attachment C, "StarTran System & Minority Map". This map uses Census data and shows, fixed transit facilities and major activity centers or transit trip generators and StarTran fixed routes. The shaded areas show the percentage of total minority residing in these areas exceeds the average (City Average 11.58%) minority population for the service area as a whole. Those shaded areas are well represented by StarTran bus routes.

## DEFINITIONS

Provided are the definitions from FTA C4702.1B that are referenced in this report.

- a. Applicant means a person or entity that submits an application, request, or plan required to be approved by the FTA Administrator or by a primary recipient, as a condition of eligibility for financial assistance from FTA, and “application” means such an application, request, or plan.
- b. Demand response system: Any non-fixed route system of transporting individuals that requires advanced scheduling including services provided by public entities, non-profits, and private providers. An advance request for service is a key characteristic of demand response service.
- c. Designated recipient means an entity designated, in accordance with the planning process under sections 5303 and 5304, by the Governor of a State, responsible local officials, and publicly owned operators of public transportation, to receive and apportion amounts under section 5336 to urbanized areas of 200,000 or more in population; or a State or regional authority, if the authority is responsible under the laws of a State for a capital project and for financing and directly providing public transportation.
- d. Direct recipient means an entity that receives funding directly from FTA. For purposes of this Circular, a direct recipient is distinguished from a primary recipient in that a direct recipient does not extend financial assistance to subrecipients, whereas a primary recipient does.
- e. Discrimination refers to any action or inaction, whether intentional or unintentional, in any program or activity of a Federal aid recipient, subrecipient, or contractor that results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, or national origin.
- f. Disparate impact refers to a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where the recipient’s policy or practice lacks a substantial legitimate justification and where there exists one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin.
- g. Disproportionate burden refers to a neutral policy or practice that disproportionately affects low-income populations more than non-low-income populations. A finding of disproportionate burden requires the recipient to evaluate alternatives and mitigate burdens where practicable.
- h. Disparate treatment refers to actions that result in circumstances where similarly situated persons are intentionally treated differently (i.e., less favorably) than others because of their race, color, or national origin.
- i. Fixed guideway means a public transportation facility—using and occupying a separate right-of-way for the exclusive use of public transportation; using rail; using a fixed catenary system; for a passenger ferry system; or for a bus rapid transit system.
- j. Fixed route refers to public transportation service provided in vehicles operated along pre-determined routes according to a fixed schedule.

k. Federal financial assistance refers to

- (1) grants and loans of Federal funds;
- (2) the grant or donation of Federal property and interests in property;
- (3) the detail of Federal personnel;
- (4) the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and
- (5) any Federal agreement, arrangement, or other contract that has as one of its purposes the provision of assistance.

l. Limited English Proficient (LEP) persons refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

m. Low-income person means a person whose median household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines. Recipients are encouraged to use a locally developed threshold, such as the definition found in 49 U.S.C. 5302 as amended by MAP-21: "refers to an individual whose family income is at or below 150 percent of the poverty line (as that term is defined in Section 673(2) of the Community Services Block Grant Act (42 U.S.C 9902(2)), including any revision required by that section) for a family of the size involved" or another threshold, provided that the threshold is at least as inclusive as the HHS poverty guidelines.

n. Low-income population refers to any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed FTA program, policy or activity.

o. Metropolitan planning organization (MPO) means the policy board of an organization created and designated to carry out the metropolitan transportation planning process.

p. Metropolitan transportation plan (MTP) means the official multimodal transportation plan addressing no less than a 20-year planning horizon that is developed, adopted, and updated by the MPO through the metropolitan transportation planning process.

q. Minority persons include the following:

- (1) American Indian and Alaska Native, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
- (2) Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- (3) Black or African American, which refers to people having origins in any of the Black racial groups of Africa.
- (4) Hispanic or Latino, which includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
- (5) Native Hawaiian or Other Pacific Islander, which refers to people having origins in

any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

r. Minority population means any readily identifiable group of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient populations (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity.

s. Minority transit route means a route that has at least 1/3 of its total revenue mileage in a Census block or block group, or traffic analysis zone(s) with a percentage of minority population that exceeds the percentage of minority population in the transit service area. A recipient may supplement this service area data with route-specific ridership data in cases where ridership does not reflect the characteristics of the census block, block group, or traffic analysis zone.

t. National origin means the particular nation in which a person was born, or where the person's parents or ancestors were born.

u. Noncompliance refers to an FTA determination that the recipient is not in compliance with the DOT Title VI regulations, and has engaged in activities that have had the purpose or effect of denying persons the benefits of, excluding from participation in, or subjecting persons to discrimination in the recipient's program or activity on the basis of race, color, or national origin.

v. Non-profit organization: A corporation or association determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. 501(c) which is exempt from taxation under 26 U.S.C. 501(a) or one which has been determined under State law to be non-profit and for which the designated State agency has received documentation certifying the status of the non-profit organization.

w. Predominantly minority area means a geographic area, such as a neighborhood, Census tract, block or block group, or traffic analysis zone, where the proportion of minority persons residing in that area exceeds the average proportion of minority persons in the recipient's service area.

x. Primary recipient means any FTA recipient that extends Federal financial assistance to a subrecipient.

y. Provider of fixed route public transportation (or "transit provider") means any entity that operates public transportation service, and includes States, local and regional entities, and public and private entities. This term is used in place of "recipient" in chapter IV and is inclusive of direct recipients, primary recipients, designated recipients, and subrecipients that provide fixed route public transportation service.

z. Public transportation means regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income; and does not include Amtrak, intercity bus service, charter bus service, school bus service, sightseeing service, courtesy shuttle service for patrons of one or more specific establishments, or intra-terminal or intrafacility shuttle services. Public transportation includes buses, subways, light rail, commuter rail, monorail, passenger ferry boats, trolleys, inclined railways, people movers, and vans. Public transportation can be either fixed route or demand response service.

aa. Recipient as used in this Circular, means any public or private entity that receives Federal financial assistance from FTA, whether directly from FTA or indirectly through a primary recipient. This term includes subrecipients, direct recipients, designated recipients, and primary recipients. The term does not include any ultimate beneficiary under any such assistance program.

bb. Secretary means the Secretary of the U.S. Department of Transportation.

cc. Service area refers either to the geographic area in which a transit agency is authorized by its charter to provide service to the public, or to the planning area of a State Department of Transportation or Metropolitan Planning Organization.

dd. Service standard/policy means an established service performance measure or policy used by a transit provider or other recipient as a means to plan or distribute services and benefits within its service area.

ee. Statewide transportation improvement program (STIP) means a statewide prioritized listing/program of transportation projects covering a period of four years that is consistent with the long-range statewide transportation plan, metropolitan transportation plans, and TIPs, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.

ff. Subrecipient means an entity that receives Federal financial assistance from FTA through a primary recipient.

gg. Title VI Program refers to a document developed by an FTA recipient to demonstrate how the recipient is complying with Title VI requirements. Direct and primary recipients must submit their Title VI Programs to FTA every three years. The Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent.

hh. Transportation improvement program (TIP) means a prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the metropolitan transportation plan, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.

ii. Transportation management area (TMA) means an urbanized area with a population over 200,000, as defined by the Bureau of the Census and designated by the Secretary of Transportation, or any additional area where TMA designation is requested by the Governor and the MPO and designated by the Secretary of Transportation.



**Title VI of the Civil Rights Act of 1964**

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**42USC2000: Title VI**

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. 42 U.S.C. § 2000d

Under Title VI, StarTran customers who are not proficient in English are able to obtain a "Riders Guide" in these languages: Spanish, Arabic, Russian and Vietnamese. This guide is free and available to the public upon request. Translation services are also free and available upon request.

**Who do I Contact?**

If you believe you or others protected by Title VI have been discriminated against, you may file a complaint with the City's Ombudsman at the Mayor's office (mailing address provided below). A complaint form can also be found at:

[www.lincoln.ne.gov/asp/action/new.asp#](http://www.lincoln.ne.gov/asp/action/new.asp#)

You are not required to use this form; a letter with the same information is sufficient. However, the information requested in the items marked with a star (\*) must be provided, whether or not the form is used. The complaint should be submitted as soon as possible but no later than **180** calendar days after the date the alleged discrimination occurred.

**What is the Process?**

Upon receipt of a complaint, the City's Ombudsman will evaluate and investigate the complaint. The City's Ombudsman may seek assistance of the City Attorney in investigating and responding to the complaint. The Ombudsman shall complete the investigation no later than 45 calendar days after the date the complaint is received. If more time is required, the Ombudsman shall notify the Complainant of the estimated time frame for completing the investigation. Upon completion of the investigation, the Ombudsman will respond to the complaint in writing. The response will explain the position of the City, and, where appropriate, offer options for substantive resolution of the complaint.

If the Complainant disagrees with the Ombudsman's response, the Complainant may appeal the decision within fifteen (15) calendar days after receipt of the response to the Mayor or his designee. Within fifteen (15) calendar days after receipt of the appeal, the Mayor or his designee will respond in writing with a final resolution of the complaint.

All written complaints received by the Ombudsman, appeals to the Mayor, and responses from the City will be retained for at least three years. Members of the public should contact the City Ombudsman at the following address in order to request additional information on the City of Lincoln nondiscrimination obligations.

Ombudsman, Office of the Mayor  
555 South 10th Street, Suite 301  
Lincoln, NE 68508  
402-441-7511

You may also file a complaint with the following state and federal agencies:

Nebraska Department of Roads  
Attention: Highway Civil Rights Coordinator  
1500 Highway 2  
PO Box 94759  
Lincoln, NE 68509-4759  
402-479-4870

Federal Transit Administration, Office of Civil Rights  
Attention: Title VI Program Coordinator  
East Building, 5<sup>th</sup> Floor - TCR  
1200 New Jersey Ave., SE  
Washington, DC 20590  
[http://www.fta.dot.gov/civilrights/title6/civil\\_rights\\_5104.html](http://www.fta.dot.gov/civilrights/title6/civil_rights_5104.html)

Complaints must be signed, and include contact information when mailing.

## TITLE VI COMPLAINT FORM

Return completed form to:  
 Ombudsman, Office of the Mayor  
 555 South 10<sup>th</sup> Street, Suite 301  
 Lincoln, NE 68508

You are not required to use this form; a letter with the same information is sufficient. However, the information requested in the items marked with a star (\*) must be provided, whether or not the form is used. The complaint should be submitted as soon as possible but no later than **180** calendar days after the date the alleged discrimination occurred.

1. \* State your name and address.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ zip \_\_\_\_\_

Telephone No: \_\_\_\_\_

2. \* If you are filing on behalf of another person, include their name and address:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ zip \_\_\_\_\_

Telephone No: \_\_\_\_\_

Please explain your relationship to this person (e.g. friend, attorney, parent, etc).

\_\_\_\_\_

3. \* Please describe how, why, and when you believe you were discriminated against. Include as much background information as possible about the alleged act(s) of discrimination. Include names of individuals whom you allege discriminated against you, if you know them.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

4. Please list any persons, if known, whom we may contact for additional information to support or clarify your complaint.

Name, address, and telephone numbers:

\_\_\_\_\_  
 \_\_\_\_\_

5. Do you have any other information that you think is relevant to our investigation of your allegations? Please use additional sheets if necessary or attach a copy of written materials.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

6. What resolution are you seeking for this particular situation?

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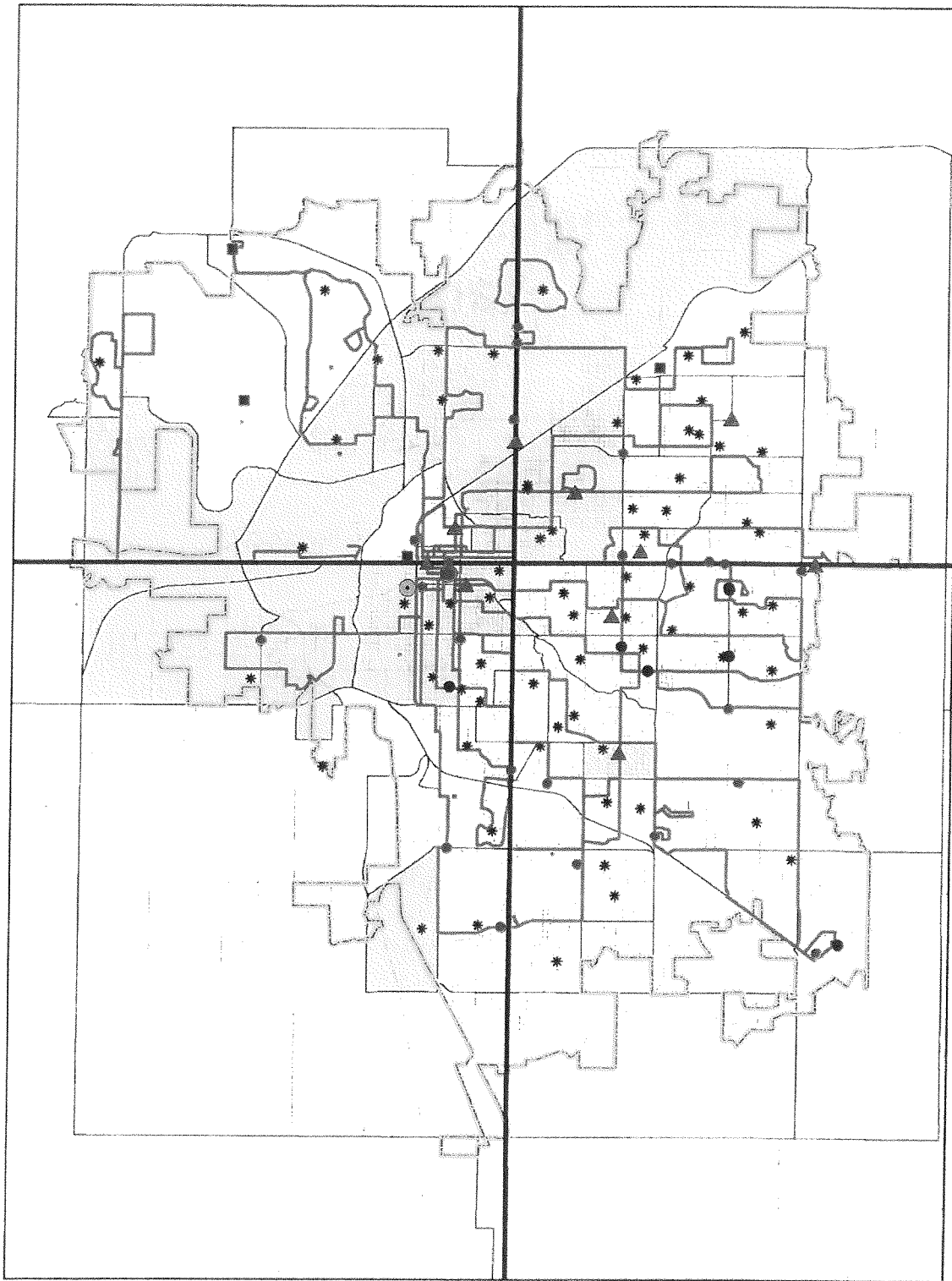
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7. \* We cannot accept a complaint if it has not been signed. Please sign and date this complaint below.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)



StarTran System & Minority Map

- |                                |                                  |                                       |
|--------------------------------|----------------------------------|---------------------------------------|
| ● Regional Commerce Center     | ● StarTran Administration/Garage | □ City Limit                          |
| ● Community Commerce Center    | * Primary Education              | — StarTran Routes                     |
| ● Neighborhood Commerce Center | ▲ Higher Education               | <b>Minority Percentage</b>            |
| ■ Moderate to Heavy Industrial | ● Hospitals                      | □ 0% - 11.58%                         |
| ■ Light Industrial             |                                  | □ % Minority > City Average of 11.58% |



# Limited English Proficiency Plan



*DRAFT*

StarTran Municipal Bus Service  
Public Works & Utilities

City of Lincoln  
2013

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Exhibit A Map

## **I. BACKGROUND**

### **A. Federal – Limited English Proficiency**

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance. The Supreme Court, in *Lau v. Nichols*, 414 U.S. 563 (1974), interpreted Title VI regulations promulgated by the former Department of Health, Education, and Welfare to hold that Title VI prohibits conduct that has a disproportionate effect on Limited English Proficient (LEP) persons because such conduct constitutes national origin discrimination.

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," reprinted at 65 FR 50121, August 16, 2000 directs each Federal agency to examine the services it provides and develops and implements a system by which LEP persons can meaningfully access those services. Federal agencies were instructed to publish guidance for their respective recipients in order to assist them with their obligations to LEP persons under Title VI. The Executive Order states that recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

President Bush affirmed his commitment to Executive Order 13166 through a memorandum issued on October 25, 2001 by Assistant Attorney General for Civil Rights, Ralph F. Boyd, Jr. Federal agencies were directed to provide guidance and technical assistance to recipients of Federal funds as to how they can provide meaningful access to Limited English Proficient users of Federal programs.

The U.S. DOT published revised guidance for its recipients on December 14, 2005. This document states that Title VI and its implementing regulations require that DOT recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP) and that recipients should use the DOT LEP Guidance to determine how best to comply with statutory and regulatory obligations to provide meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are LEP.

The Federal Transit Administration (FTA) references the DOT LEP guidance in its Circular 4702.1B, "Title VI and Title VI-Dependent Guidelines for FTA Recipients," which was published on October 1, 2012. Chapter III-6 of this Circular reiterates the requirement to take responsible steps to ensure meaningful access to benefits, services, and information for LEP persons and suggests that FTA recipients and sub-recipients develop a language implementation plan consistent with the provisions of Section VII of the DOT LEP Guidance.

The DOT LEP Guidance recommends that all recipients, especially those that serve large LEP populations, should develop an implementation plan to address the needs of the LEP populations they serve. The DOT LEP Guidance notes that effective implementation plans typically include the following five elements:

- 1) identifying LEP individuals who need language assistance;
- 2) providing language assistance measures;
- 3) training staff;
- 4) providing notice to LEP persons; and
- 5) monitoring and dating the plan.

Individuals, who have limited ability to read, write, speak or understand English are Limited English Proficient or "LEP". According to the 2000 U.S. Census, more than 10 million people reported they "do not speak English at all" or



“do not speak English well”. The number of persons reporting that they “do not speak English at all” or “do not speak English well” grew by 65 percent from 1990 to 2000. Among limited English speakers, Spanish is the language most frequently spoken, followed by Chinese (Cantonese or Mandarin), Vietnamese, and Korean.

Transit agencies that provide language assistance to persons with Limited English Proficiency in a competent and effective manner will help ensure that their services are safe, reliable, convenient, and accessible to those persons. These efforts may attract riders who would otherwise be excluded from participating in the service because of language barriers and, ideally, will encourage riders to continue using the system after they are proficient in English and/or have more transportation options. Catering to LEP persons may also help increase and retain ridership among the agency's broader immigrant communities in two important ways: 1) agencies that reach out to recent immigrant populations in order to conduct a needs assessment and prepare a language implementation plan (pursuant to the DOT LEP Guidance) will send a positive message to these persons that their business is valued; and 2) community outreach designed to identify appropriate language assistance measures can also assist the agency in identifying the transportation needs of immigrant and linguistically isolated populations and ensuring that an agency's transit routes, hours and days of service, and other service parameters are responsive to the needs of these populations. Additionally, transit agencies that conduct outreach to LEP persons can increase their potential for recruiting bilingual employees to better serve the needs of the community. In summary, serving the needs of LEP persons is not only a good business decision; it fulfills the mission of the transit agency to serve the public.

## **B. StarTran Service Overview**

StarTran provides fixed route bus service and ADA paratransit service throughout the City of Lincoln, and operates as a division of the City Public Works and Utilities Department. StarTran operates 19 Weekday routes and 13 Saturday routes.

There is a seven-member StarTran Advisory Board that provides guidance to the Mayor and Council concerning transit issues and operations. The StarTran Advisory Board is responsible for reviewing and acting upon matters related to the operation of the system, including the following specific areas: Transit-related studies and plans, route studies and evaluations, performance indicators, rates, fares, and schedules.

The City of Lincoln is located in southeast Nebraska in Lancaster County. Lincoln's population makes up 90% of the population in Lancaster County. Lincoln is both the capitol of Nebraska and the government center for Lancaster County and is also the second largest metropolitan area in the state, second only to Omaha. Lincoln has an estimated population of 262,341 (2010 Census) and is home to the University of Nebraska-Lincoln. StarTran provides transit services within city limits only.

## II. STARTRAN'S EFFORTS TO SERVE LEP PERSONS

StarTran, City of Lincoln, supports the goals of the DOT LEP Guidance to provide meaningful access to its services by LEP persons.

StarTran has worked with community organizations that serve LEP populations to promote StarTran services and educate LEP persons on how to use StarTran services. These organizations are:

Catholic Social Services  
Center For People In Need  
State of Nebraska Workforce Development  
Cedars  
Lincoln Area Agency on Aging  
Fresh Start Home  
Clyde Malone Community Center  
Indian Center, Inc.  
El Centro de las Americas  
City "F" Street Recreation Center  
CenterPointe  
Lincoln Public Schools

StarTran provides translated information via our website that includes translation software called, "Google Translate", that provides translation for over 30 languages. A StarTran Rider Guide is available in 4 different languages (Arabic, Russian, Spanish, Vietnamese) available on the StarTran website and upon request. This Ride Guide is utilized when StarTran gives presentations to LEP groups promoting StarTran services. For language translation via telephone StarTran has a vendor who provides language translation services.

StarTran has given guided bus tours for LEP groups and interpreters were available for assistance. These tours were coordinated with Lincoln Public Schools and Southeast Community College as part of their English Language Learner (ELL) program.

## III. IDENTIFICATION OF LEP INDIVIDUALS WHO NEED LANGUAGE ASSISTANCE

***DOT Guidance:*** "There should be an assessment of the number or proportion of LEP individuals eligible to be served or encountered and the frequency of encounters pursuant to the first two factors in the four-factor analysis."

An assessment of the number or proportion of LEP individuals eligible to be served or encountered by StarTran and the frequency of encounters with StarTran is an important first step, to determine whether or not a Language Assessment Plan should be developed to meet the specific need.

The assessment involves four steps:

1. Identify the proportion of LEP Persons in StarTran's Service Area
2. Determine the Frequency of Contact by LEP Persons with StarTran Services
3. Determine the Nature and Importance of Transit

4. Assess the Current Resources Available and the Costs to Provide Language Assistance Services.

**1. Number and Proportion of LEP Persons in the StarTran Service Area**

The data for the table below was taken from the 2007-2011 American Community Survey from the U.S. Census. Based on the ACS survey the two highest language groups, in Lincoln, other than English are Spanish and Vietnamese. Spanish represents 4.2% and Vietnamese represents 1.8% of all languages spoken at home. Other common languages spoken at home include: Arabic, Chinese, African Languages and Indo-European Languages.

This table also shows ability to speak English, "very well" and "less than very well". The table reveals:

- Of the 237,719 persons, 88.6% speak only English at home.
- Of the total persons, who speak English "less than very well" is 10,587 persons or 4.5% of the population.
- The highest language groups that speak English "less than very well", of the total persons are Spanish (1.7%) and Vietnamese (.9%).

Languages Spoken at Home by 2007-2011: U.S. Census

	Lincoln city, Nebraska	
	Estimate	Margin of Error
Total:	237,719	+/-200
Speak only English	210,627	+/-1,111
Spanish or Spanish Creole:	10,151	+/-736
Speak English "very well"	6,182	+/-554
Speak English less than "very well"	3,969	+/-544
French (incl. Patois, Cajun):	1,172	+/-344
Speak English "very well"	901	+/-286
Speak English less than "very well"	271	+/-117
French Creole:	52	+/-68
Speak English "very well"	44	+/-66
Speak English less than "very well"	8	+/-14
Italian:	35	+/-32
Speak English "very well"	35	+/-32
Speak English less than "very well"	0	+/-74
Portuguese or Portuguese Creole:	338	+/-237
Speak English "very well"	304	+/-229
Speak English less than "very well"	34	+/-32
German:	1,323	+/-281
Speak English "very well"	1,111	+/-251
Speak English less than "very well"	212	+/-91
Yiddish:	19	+/-21
Speak English "very well"	19	+/-21
Speak English less than "very well"	0	+/-74
Other West Germanic languages:	75	+/-65

Speak English "very well"	75	+/-65
Speak English less than "very well"	0	+/-74
Scandinavian languages:	44	+/-36
Speak English "very well"	44	+/-36
Speak English less than "very well"	0	+/-74
Greek:	95	+/-97
Speak English "very well"	51	+/-64
Speak English less than "very well"	44	+/-43
Russian:	512	+/-170
Speak English "very well"	343	+/-134
Speak English less than "very well"	169	+/-76
Polish:	127	+/-126
Speak English "very well"	88	+/-109
Speak English less than "very well"	39	+/-37
Serbo-Croatian:	312	+/-215
Speak English "very well"	144	+/-115
Speak English less than "very well"	168	+/-148
Other Slavic languages:	681	+/-254
Speak English "very well"	450	+/-169
Speak English less than "very well"	231	+/-127
Armenian:	0	+/-74
Speak English "very well"	0	+/-74
Speak English less than "very well"	0	+/-74
Persian:	193	+/-105
Speak English "very well"	114	+/-74
Speak English less than "very well"	79	+/-67
Gujarati:	130	+/-171
Speak English "very well"	54	+/-74
Speak English less than "very well"	76	+/-99
Hindi:	239	+/-146
Speak English "very well"	218	+/-142
Speak English less than "very well"	21	+/-24
Urdu:	23	+/-22
Speak English "very well"	14	+/-23
Speak English less than "very well"	9	+/-14
Other Indic languages:	233	+/-161
Speak English "very well"	195	+/-149
Speak English less than "very well"	38	+/-50
Other Indo-European languages:	771	+/-314
Speak English "very well"	556	+/-229
Speak English less than "very well"	215	+/-137
Chinese:	1,524	+/-430
Speak English "very well"	658	+/-250
Speak English less than "very well"	866	+/-285
Japanese:	170	+/-117
Speak English "very well"	103	+/-89
Speak English less than "very well"	67	+/-62
Korean:	234	+/-156
Speak English "very well"	129	+/-133
Speak English less than "very well"	105	+/-81
Mon-Khmer, Cambodian:	41	+/-60

Speak English "very well"	13	+/-35
Speak English less than "very well"	28	+/-47
Hmong:	0	+/-74
Speak English "very well"	0	+/-74
Speak English less than "very well"	0	+/-74
Thai:	68	+/-94
Speak English "very well"	59	+/-93
Speak English less than "very well"	9	+/-15
Laotian:	50	+/-44
Speak English "very well"	23	+/-23
Speak English less than "very well"	27	+/-36
Vietnamese:	4,316	+/-536
Speak English "very well"	2,095	+/-381
Speak English less than "very well"	2,221	+/-359
Other Asian languages:	468	+/-260
Speak English "very well"	276	+/-175
Speak English less than "very well"	192	+/-179
Tagalog:	376	+/-210
Speak English "very well"	307	+/-185
Speak English less than "very well"	69	+/-74
Other Pacific Island languages:	320	+/-187
Speak English "very well"	243	+/-172
Speak English less than "very well"	77	+/-72
Navajo:	0	+/-74
Speak English "very well"	0	+/-74
Speak English less than "very well"	0	+/-74
Other Native North American languages:	326	+/-188
Speak English "very well"	326	+/-188
Speak English less than "very well"	0	+/-74
Hungarian:	0	+/-74
Speak English "very well"	0	+/-74
Speak English less than "very well"	0	+/-74
Arabic:	1,841	+/-737
Speak English "very well"	829	+/-355
Speak English less than "very well"	1,012	+/-465
Hebrew:	8	+/-13
Speak English "very well"	8	+/-13
Speak English less than "very well"	0	+/-74
African languages:	790	+/-247
Speak English "very well"	459	+/-171
Speak English less than "very well"	331	+/-127
Other and unspecified languages:	35	+/-53
Speak English "very well"	35	+/-53
Speak English less than "very well"	0	+/-74

### Concentrations of LEP persons within StarTran service area

StarTran used data from the 2007-11 American Community Survey to identify census tracts where there are concentrations of LEP persons within StarTran service area. Such

information is displayed in a mapping format which assists our agency identify if our LEP population is concentrated around specific transit routes. Exhibit A show percentage of population by census track, where English is spoken "Less than Very Well" among language groups. This map shows that tract 7, which is in the Hawley Neighborhood, approximately from 19<sup>th</sup> – 27<sup>th</sup> & P – Vine Street comprises 33% of LEP persons. Of the various language groups in this tract 92.6% of the Spanish language group speak English less than very well, 40% of the French language group speak English less than very well, etc.

Provided below is a listing of the high LEP Census tracts and the bus route(s) that serve that tract:

Tract	% LEP	StarTran Bus Route(s)
7	33%	42,24, 25,& 49
18	18.2%	42,43,44, & 54
20.02	17.9%	48 & 51
4	15.8%	24,41,42 &49
17	14.3%	40,43,50 & 53
8	13.7%	42,44 & 54
31.04	11.9%	52
20.01	10.5%	40,45, & 50
31.03	10.2%	52

### **Community Organizations That Serve LEP Persons**

StarTran's marketing initiatives have yielded organizations which serve populations with limited English proficiency. The organizations that StarTran provided marketing services to typically have an interpreter on staff to communicate information to the organizations' clients. Those organizations are listed on page 5.

In order to ascertain information that is not included in the Census data StarTran contacted community organizations that work with LEP populations to obtain information on specific languages spoken by the LEP populations and what services are most frequently sought by the LEP population. Two community organizations, Catholic Social Services and Lutheran Family Services provide the majority of services for incoming or new Americans to the Lincoln Community. Lincoln Literacy Council also provided input. These organizations revealed:

- The languages spoken by the people they serve are Arabic, Eritrean, Karen, Burmese, Spanish, Vietnamese, Russian, Swahili, Nuer and Somalian
- The Hispanic/Latino population has increased significantly in the past ten years. The size of the Burmese-Karen Ethnicity and Iraqi populations has also increased significantly in the last five years.
- The English speaking ability of these language groups is less than very well.
- Approximately 40-90 % of the population they serve utilize StarTran services and have expressed a need for such services.

- Issues or challenges of these population groups include fear of riding the bus alone and understanding where the bus routes go. Figuring out how to use the bus for the first time such as where to purchase fares, where to get on a bus, how to pay and how to alert the driver to stop.

## **2. Frequency of Contact by LEP Persons with StarTran Services**

***DOT Guidance:** "Recipients should assess, as accurately as possible, the frequency with which they have or should have contact with LEP individuals from different language groups seeking assistance, as the more frequent the contact, the more likely enhanced language services will be needed. The steps that are reasonable for a recipient that serves an LEP person on a one-time basis will be very different than those expected from a recipient that serves LEP persons daily."*

StarTran does not collect data from its passengers on their level of English proficiency. For future surveys StarTran will have such surveys translated in other languages to capture specific data. For purposes of this assessment, the following data sources were used to estimate the frequency of encounters by LEP persons with StarTran employees and other sources. These sources are:

- Contact with transit vehicle operators – information obtained through informal interviews with StarTran drivers reveals little contact with LEP persons, mostly Spanish speaking persons. Anecdotal evidence of the communication between drivers and LEP persons is based on the LEP person writing their bus question and giving it to the driver whereby the driver writes back the appropriate response. Frequency of contact varies between once a week to once a month.
- Calls to the StarTran customer service telephone line – telephone call staff receive about 10 calls from LEP persons per month. Most of these calls with LEP persons are handled by a younger household member calling into the StarTran office for the LEP person. Most of these calls are Spanish speaking individuals with a few who speak Vietnamese.
- Visits to StarTran office – StarTran averages 10 -15 daily patron walk-ins to the office. In the past year there have been 2-3 LEP person visits to the StarTran office. Interviews with StarTran customer service staff indicated that in most cases of transactions with LEP persons, the LEP client had some basic English skills whereby they could access the information they needed.
- Access to StarTran's website – StarTran's website receives an average of 356 daily visits or "hits". Currently, there is no way to record / monitor how many were for the review and / or downloading of any documents or how many utilized the Google Translate software feature.
- Attendance at community meetings or public hearings – to date StarTran has not received requests for LEP language assistance at public meetings or special events. StarTran will provide interpreter services if requested.

- Visits to StarTran bus pass outlets - A survey was sent to the various bus pass outlets that asked about the contact and experiences with LEP persons that patronize the bus pass outlets. Comments from pass outlets revealed frequent contact with LEP persons who speak various languages such as: Spanish, Vietnamese, Dinka, Nuer, Arabic, Kurdish, French, Russian, and Farsi.
- Contact with StarTran's ADA complementary paratransit system:
  - Interviews with StarTran's paratransit supervisor indicated that in the past year there have been two LEP persons who are eligible for complementary paratransit services. Both of these persons are Spanish speaking. The supervisor indicated that when making reservations an English speaking person would make the reservation.
  - For ADA eligibility determinations StarTran contracts with The League of Human Dignity to provide eligibility determinations, registration, and issuance of identification cards to qualified applicants. An interview with League staff indicated that there has been one contact in the past year that did not speak English. StarTran staff and the League coordinated with a translation service to help this person access needed services.

### **3. Nature and Importance of Transit**

**DOT Guidance:** *"The more important the activity, information, service, or program, or the greater the possible consequences of the contact to the LEP individuals, the more likely language services are needed (emphasis added). The obligations to communicate rights to an LEP person who needs public transportation differ, for example, from those to provide recreational programming. A recipient needs to determine whether denial or delay of access to services or information could have serious or even life-threatening implications for the LEP individual..."*

While public transit is not an essential service, as are police, fire and medical emergency services, public transit is a key means of achieving mobility for many LEP persons. According to the 2000 Census, nationally, more than eleven percent of LEP persons aged 16 years and over reported use of public transit as their primary means of transportation to work, compared with about four percent of English speakers.

Recent immigrants to the United States (including those persons who may not be limited English proficient) use public transit at higher rates than native-born adults. However, public transit use among recent immigrants decreases with length of residence in the United States. Recent immigrants might elect to continue using public transit for at least a portion of their trips if their experience with public transit is positive. For transit agencies seeking to increase their "choice riders," it may be easier to retain riders who have past, positive impressions of the system than to attract those persons who have never or rarely used transit. Catering to LEP persons may help to increase and retain ridership among StarTran's immigrant communities.



LEP individuals are neither denied nor experiences delayed access to StarTran services. StarTran route information is available at approximately 40 locations throughout the community including libraries, schools, banks, grocery stores, employment agencies, and social service agencies. StarTran will continue to interact with the LEP community to ensure the LEP population's experience with StarTran services is positive.

StarTran has reviewed any programs or areas that would have serious consequences to individuals if language barriers prevent a person from benefiting from the activity. The result of this identification is there are no programs or areas that would have such serious consequences for LEP persons.

#### **4. Access the Current Resources Available Resources and Costs of Providing Language Assistance Services**

***DOT Guidance:** "A recipient's level of resources and the costs imposed may have an impact on the nature of the steps it should take in providing meaningful access for LEP persons. (emphasis added). Smaller recipients with more limited budgets are not expected to provide the same level of language services as larger recipients with larger budgets. In addition, "reasonable steps" may cease to be reasonable where the costs imposed substantially exceed the benefits. Recipients should carefully explore the most cost-effective means of delivering competent and accurate language services before limiting services due to resource concerns."*

Based on a review of the demographic and community input data StarTran staff encounters with LEP individuals is minimal and infrequent. As a result, StarTran will conduct the following activities:

- Continue its outreach efforts to those organizations that serve LEP persons. Such outreach is an effort to educate and inform LEP persons on how to utilize StarTran services. This effort will allow these community organizations that serve LEP to directly provide information to their clients thereby making the use of public transportation easier.
- StarTran has translated vital documents such as the Title VI notice and Title VI complaint form into Spanish, Vietnamese and Arabic.
- Telephone language translation services are available for StarTran staff.

Costs for conducting the above activities include staff time and approximately \$2,500/year for document translation and telephone translation services.

#### **IV. LANGUAGE ASSISTANCE PLAN**

***DOT Guidance:** "An effective LEP plan would likely include information about the ways in which language assistance will be provided."*

To determine what additional language assistance measures could reduce the barriers LEP individuals face in riding public transit, StarTran identified existing methods as outlined previously in Section III, "Identification of LEP Individuals in StarTran Service Area Who Need Language Assistance". As a result of this four factor process StarTran will conduct the following measures to ensure meaningful access to LEP persons:

1. Continue agreement with local translation vendor that provides translation services for telephone, in person and documents in several languages.
2. Continue to provide StarTran's Rider Guide, which is translated in 4 languages, to patrons and update as needed. Currently working with an agency to have this guide translated in Karen.
3. Distribute a common bus terminology guide for StarTran bus drivers and StarTran staff when encountering Spanish speaking persons.
4. Provide on-going training to community organizations that serve LEP persons on how to utilize the bus system as staffing changes occur and LEP population needs change.
5. Translation of vital documents such as Title VI notice and Title VI complaint form in Spanish, Vietnamese and Arabic.
6. For requests of document translation in other languages StarTran will immediately send document to local translation vendor for translation.
7. Posting information in all StarTran vehicles that informs the public about language assistance. This poster is translated in 5 languages.

## **V. STAFF TRAINING**

**DOT Guidance:** *"Staff members should know their obligations to provide meaningful access to information and services for LEP persons, and all employees in public contact positions should be properly trained."*

StarTran staff are educated on the procedures and services available for LEP persons. If frequency with LEP groups increases StarTran will add language assistance into current training meetings. As part of bus operator new hire training there is a diversity video that includes properly assisting patrons who have limited English skills.

StarTran is aware and will utilize, if needed, the many language assistance resources available from the Federal Transit Administration Office of Civil Rights.

## **VI. PROVIDING NOTICE TO LEP PERSONS**

**DOT Guidance:** *"Once an agency has decided, based on the four factors, that it will provide language services, it is important that the recipient notify LEP persons of services available free of charge (emphasis added). Recipients should provide this notice in languages LEP persons would understand."*

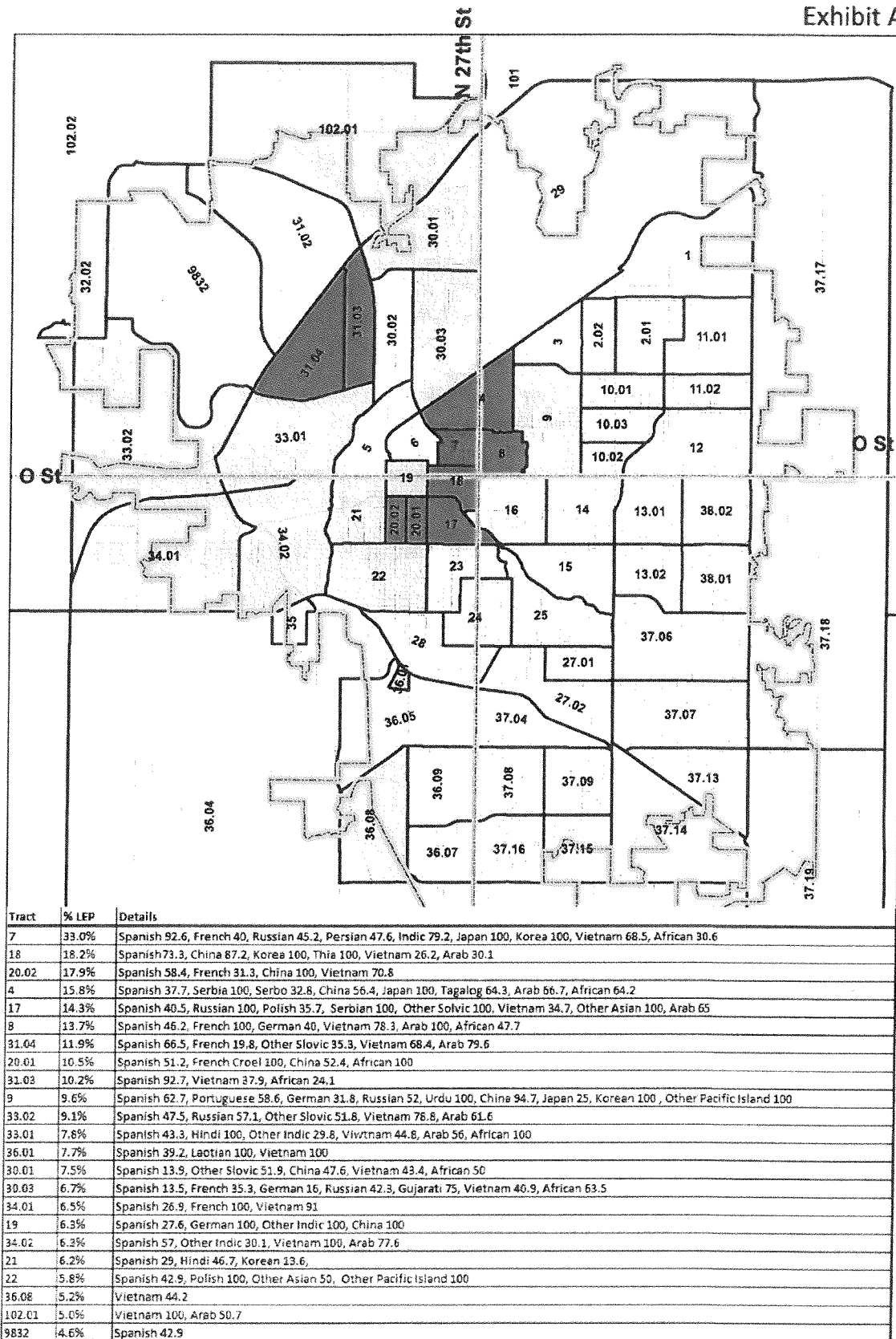
The Title VI notice to the public includes a statement that language assistance measures are available and are free of charge. This notice is posted on the City of Lincoln website and at StarTran's office area, where patrons come to obtain fare devices and other information. This notice is translated in Spanish, Vietnamese and Arabic.

## VII. MONITORING AND UPDATING STARTRAN'S LANGUAGE ASSISTANCE PLAN

**DOT Guidance:** *"Recipients should, where appropriate, have a process for determining, on an ongoing basis, whether new documents, programs, services, and activities need to be made accessible for LEP individuals, and they may want to provide notice of any changes in services to the LEP public and to employees."*

StarTran will monitor the strengths and weaknesses of language assistance measures on a minimum of an annual basis and will make modifications as appropriate. The following actions will be employed when modifying language assistance measures:

1. Coordinate with the City Urban Development Department to obtain updated data on LEP population by use of US Census and ACS
2. Continued interaction with LEP populations and provide on-going training that serve LEP persons as staffing changes occur and LEP population needs change.
3. Measure StarTran's frequency of contact by LEP individuals as reported by:
  - Customer Service telephone line
  - Contact with bus operators
  - Office visits
  - Attendees of public / community meetings



Limited English Proficiency (LEP) Review: Speaks English Less than Very Well (LTVW)

City Limit % LTVW 0% - 5% LEP 5.1% - 10% LEP 10.1% - 20% LEP 20.1% - 33% LEP

